

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, NOVEMBER 2, 2004**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 26, 2004. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
  
- 2) **SPECIAL PRESENTATIONS:**
  - A. Introduction of Frank Goodroe, State Court Administrator - The Honorable Paul Merritt.
  
  - B. Presentation of the County-City Volunteer of the Month Award to Paula Peterson for her services with Cooperative Extension.
  
- 3) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.
  
- 4) **CLAIM FOR REVIEW:**
  - A. Payment Voucher 837-1315, dated October 5, 2004 - Human Services has requested payment to A to Z Printing, in the amount of \$7,880. The payment voucher exceeds the \$1,000 purchasing guidelines which stipulates that a requisition is needed when purchasing from a non-contracted vendor, therefore, bids should have been obtained.
  
  - B. Payment Voucher 782-6569, dated October 19, 2004 - Families First and Foremost has requested payment to Cedars Youth Services, in the amount of \$2,897.50. Payment is for services provided in March, 2004 through June, 2004. The claim is beyond the 90 day time period.
  
  - C. Payment Voucher 782-6559, dated October 20, 2004 - Families First and Foremost has requested payment to Stacie Olsen, in the amount of \$996. Payment is for child care services provided from February, 2004 through June, 2004. The claim is beyond the 90 day time period.

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CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER ITEM,  
PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY  
ACCOMMODATE YOUR NEEDS.**

4) **CLAIMS FOR REVIEW CONTINUED:**

- D. Payment Voucher 782-6514, dated October 12, 2004 - Families First and Foremost has requested payment to Elda Ashcroft, in the amount of \$224.50. Payment is for transportation and interpreter services provided from January, 2004 through May, 2004. The claim is beyond the 90 day time period.
- E. Payment Voucher 782-6542, dated October 14, 2004 - Families First and Foremost has requested payment to Visinet, Inc., in the amount of \$419.87. Payment is for transportation/escort services provided in December, 2003 and February, 2004. The claim is beyond the 90 day time period.
- F. Payment Voucher 782-6573, dated October 20, 2004 - Families First and Foremost has requested payment to Visinet, Inc., in the amount of \$120. Payment is for transportation/escort services provided in June, 2004. The claim is beyond the 90 day time period.

5) **CLAIMS:** Approval of all claims processed through Tuesday, November 2, 2004.

6) **PUBLIC HEARINGS:**

- A. County Special Permit 04039, Prairie View Estates (now known as "High Prairie Estates") Community Unit Plan, requested by Engineering Design Consultants on behalf of Batie Farms, Inc., for five residential acreage units and associated waiver requests, on property generally located northeast of the intersection of Highway 77/Homestead Expressway and Hickman Road in Lancaster County, Nebraska. (See New Business Item 7A for correlating resolution.)
- B. County Preliminary Plat 04018, Prairie View Estates (now known as "High Prairie Estates"), requested by Engineering Design Consultants on behalf of Batie Farms, Inc., for five residential acreage lots and associated waiver requests, on property generally located northeast of the intersection of Highway 77/Homestead Expressway and Hickman Road in Lancaster County, Nebraska. (See New Business Item 7B for correlating resolution.)

7) **NEW BUSINESS:**

- A. A resolution in the matter of County Special Permit 04039: High Prairie Estates Community Unit Plan, requested by Engineering Design Consultants on behalf of Batie Farms, Inc., on property generally located northeast of the intersection of Highway 77/Homestead Expressway and Hickman Road in Lancaster County, Nebraska. (R-04-0131)
- B. A resolution in the matter of County Preliminary Plat 04019, High Prairie Estates, requested by Engineering Design Consultants on behalf of Batie Farms, Inc. for five residential acreage units on property generally located northeast of the intersection of Highway 77/Homestead Expressway and Hickman Road in Lancaster County, Nebraska. (R-04-0132)

7) **NEW BUSINESS CONTINUED:**

- C. An application for a Special Designated License from the American Legion Oltman-Messman Post 294, Inc., located in Hallam, Nebraska, to provide liquor beverage service and hold a fund raising event (card playing, pull tabs and a raffle) on Sunday, November 21, 2004 from 1 p.m. to 10:30 p.m. at the Sprague-Martell Community Center Auditorium which is located at 17490 Southwest 14<sup>th</sup> Street in Lancaster County, Nebraska.
- D. A grant contract with Heartland Big Brothers/Big Sisters for the mentoring program, in the amount of \$15,000. Term of the contract is July 1, 2004 to June 30, 2005. (C-04-0514)
- E. A grant contract with United Way of Lincoln and Lancaster County to administer the 211 Information Line Project, a telephone access line for residents of Lancaster County to seek information and referral, in the amount of \$5,000. Term of the contract is July 1, 2004 to June 30, 2005. (C-04-0515)
- F. Interlocal agreements with the following counties for the safekeeping, care and sustenance of juveniles while at the Juvenile Detention Center: Buffalo (C-04-0516), Dawson (C-04-0517), Dodge (C-04-0518), Gage (C-04-0519), Hamilton (C-04-0520), Jefferson (C-04-0521), Johnson (C-04-0522), Saunders (C-04-0523), Thayer (C-04-0524) and Washington (C-04-0525). Lancaster County will be reimbursed \$234 per youth, per day. The agreements are effective upon execution and have a 30 day termination provision.
- G. A utility relocation agreement between Lancaster County and Lincoln Electric System relating to Project BR-5204(2), Pioneers Boulevard (South 1<sup>st</sup> to South 10<sup>th</sup> Streets). The total amount of the project is estimated at \$8,357, of which \$8,357 is estimated to be the share of the cost chargeable to the County. (C-04-0526)
- H. An interlocal agreement with the City of Lincoln for the widening and reconstruction of South 40<sup>th</sup> Street and Yankee Hill Road. The City will be responsible for the cost of widening and reconstruction, and will be responsible for all maintenance on the new section of South 40<sup>th</sup> Street and Yankee Hill Road. The County will give the City permission to perform the work. (C-04-0527)
- I. A grant contract with the Hispanic Community Center for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic abuse and dating violence, in the amount of \$46,509. Term of the grant contract is September 1, 2004 through August 30, 2005. (C-04-0542)
- J. An addendum to an agreement between Lancaster County and the Fraternal Order of Police, Lodge 32. The addendum amends the agreement between the parties by adding the Natural Disaster Leave Donation Policy to the agreement.

7) **NEW BUSINESS CONTINUED:**

K. Quitclaim deeds between Lancaster County and the following individuals relating to the vacation of a portion of George Street and adjoining alleys located within the unincorporated area of Agnew, located in the southwest one-quarter of Section 12, Township 12 North, Range 5 East, in Lancaster County, Nebraska:

- ▶ Judy Lea Baker
- ▶ Gregory and Nicole Prosocki
- ▶ Kent and Karleen Stutzman
- ▶ Stephen and Kathie Wimmer

L. Relocation application for an Adult Day Services License with the Nebraska Department of Health and Human Services for the Midtown Center in connection with the Community Mental Health Center (CMHC).

M. The Lancaster County Board of Commissioners intends to make a special purchase of printing services at the regularly scheduled Board meeting on November 9, 2004. Pursuant to Neb. Rev. stat. §23-3109(3) (Reissue 1997), informal quotes are hereby invited for the following printing services which are the subject of the proposed special purchase:

- 250 'Try Another Way' packets
- Four posters, three mounted.

Additional information regarding this project can be obtained from Kerry P. Eagan, Chief Administrative Officer, 555 South 10<sup>th</sup> Street, Room 110, Lincoln, Nebraska. Telephone number (402)441-7447. (B-04-0046)

N. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to the following payees:

- ▶ Sinclair Hille, in the amount of \$4,187.90, for the Sheriff's garage.
- ▶ ICI Paints, in the amount of \$300.75, for paint for Midtown Center.
- ▶ Baker Hardware Company, Inc., in the amount of \$29.69, for supplies for Midtown Center.
- ▶ Menards - Lincoln North, in the amount of \$5.88, for caulk for Midtown Center.
- ▶ Voss Lighting, in the amount of \$299.64, for light bulbs for Midtown Center.
- ▶ White Cap Construction Supply, in the amount of \$12.23, for supplies for Midtown Center.
- ▶ Lincoln Water System, in the amount of \$28.38, for water for Midtown Center
- ▶ Crescent Electric Supply Company, in the amount of \$3.91, for supplies for Midtown Center.
- ▶ Alltel, in the amount of \$36.06, for telephone service at Midtown Center.
- ▶ Sherwin-Williams Company, in the amount of \$93.87 for painting supplies for Midtown Center.

Total payment request is \$4,998.31.

7) **NEW BUSINESS CONTINUED:**

O. Appointment of the following individuals to the Lincoln-Lancaster County Commission on the Status of Women:

- ▶ Connie L. Schmidt, term to expire January 1, 2007. (Replacing Gwendolyn Combs)
- ▶ Meredith Decory, term to expire January 1, 2007. (Replacing Nicole Simon)

P. Appointment of Ruthelen S. Sittler (replacing Dr. Gregory Kallos) to the Lincoln Area Agency on Aging Advisory Council, term to expire July 1, 2006.

Q. Amendment of the Lancaster County Visitors Committee by-laws to require meetings at least quarterly.

8) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Sheriff's Report of Fees for September, 2004.
2. County Treasurer's Report of Distress Warrants for 2003, in the amount of \$366,561.12.
3. Investment Option Addition Request for the Lancaster County Employees Retirement Plan.

B. Setting of a public hearing for Tuesday, November 16, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding an application for an amusement license from Neil H. Zimmer, on behalf of the American Legion Post 294, to hold a fund raising event (card playing, pull tabs and a raffle). The fund raiser will be held on Sunday, November 21, 2004 from 1 p.m. to 10:30 p.m. at the Sprague-Martell Community Center, located at 17490 Southwest 14<sup>th</sup> Street, in Lancaster County, Nebraska.

C. Request from Ratomirka Ometlic, an employee with Lancaster Manor, to voluntarily participate in the Lancaster County retirement plan, having met the requirements.

D. An overhang easement between the Lancaster County Engineering Department and Lincoln Electric System (LES) at North 14<sup>th</sup> Street and McKelvie Road. (C-04-0528)

E. Right-of-way contracts relating to road construction between the Lancaster County Engineering Department and the following:

- ▶ Scott A. and Rhonda Wredt, in the amount of \$2,850, on Old Cheney Road from South 148<sup>th</sup> Street to South 190<sup>th</sup> Street; Project C55-Q-407(2). (C-04-0529)
- ▶ Knox Associates, in the amount of \$3,228, on Old Cheney Road from South 148<sup>th</sup> Street to South 190<sup>th</sup> Street; Project C55-Q-407(2). (C-04-0530)

8) **CONSENT ITEMS CONTINUED:**

- ▶ Kyle M. and Linda K. Gowin, in the amount of \$17.50, on Old Cheney Road from South 148<sup>th</sup> Street to South 190<sup>th</sup> Street; Project C55-Q-407(2). (C-04-0531)
- ▶ Robert A. Wirth, Jr. and Leanne M. Wirth, in the total amount of \$3,084, on Old Cheney Road from South 148<sup>th</sup> Street to South 190<sup>th</sup> Street; Project C55-Q-407(2). (2 contracts) (C-04-0532 and C-04-0533)
- ▶ Mark W. and Bonnie J. Lemke, in the total amount of \$6,691.50, on Old Cheney Road from South 148<sup>th</sup> Street to South 190<sup>th</sup> Street; Project C55-Q-407(2). (2 contracts) (C-04-0534 and C-04-0535)
- ▶ Robert L. Maahs, in the total amount of \$139.50, on Old Cheney Road from South 148<sup>th</sup> Street to South 190<sup>th</sup> Street; Project C55-Q-407(2). (2 contracts) (C-04-0536 and C-04-0537)
- ▶ Nebraska United Methodist Foundation, in the total amount of \$6,912.50, on Old Cheney Road from South 148<sup>th</sup> Street to South 190<sup>th</sup> Street; Project C55-Q-407(2). (2 contracts) (C-04-0538 and C-04-0539)
- ▶ Christian Heritage Children's Home, in the total amount of \$2,805.50, on Old Cheney Road from South 148<sup>th</sup> Street to South 190<sup>th</sup> Street; Project C55-Q-407(2). (2 contracts) (C-04-0540 and C-04-0541)

9) **EMERGENCY ITEMS AND OTHER BUSINESS:**

10) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, November 4, 2004, beginning at 8:45 a.m. in Room 113 on the first floor of the County-City Building.
- B. A public hearing will be held on Tuesday, November 9, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a petition from ten percent of the property owners living in Clarendon Hills Subdivision and Portsche Heights Subdivision for the paving of Revere Lane, Portsche Lane, Badger Drive, Boone Trail, 75<sup>th</sup> Street, Carson Road and Travis Drive. The name of the Special Paving Improvement District will be called Clarendon Hills Road Improvement District.
- C. A public hearing will be held on Tuesday, November 16, 2004 at 7:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building Lancaster County's proposed One and Six-Year Road and Bridge Improvement Program for the fiscal years beginning July 1, 2005 through June 30, 2010, as proposed by the Lancaster County Engineer.
- D. A public hearing regarding Comprehensive Plan Amendment 04020, requested by the Director of Planning on behalf of the Nebraska Department of Roads, to amend the Mobility and Transportation element of the 2025 Lincoln/Lancaster County Comprehensive Plan, to upgrade U.S. Highway 77/West Bypass from an expressway to freeway status beginning at the planned South Beltway interchange just south of Saltillo Road and ending at Interstate 80 will be reconvened on Tuesday, December 7, 2004 in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building at 1:30 p.m..

10) **ANNOUNCEMENTS CONTINUED:**

E. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon immediately following the City Council meeting rebroadcast on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

11) **PENDING:**

- A. A resolution in the matter of Comprehensive Plan Amendment 04020, requested by the Director of Planning, on behalf of the State of Nebraska, Department of Roads, to upgrade U.S. Highway 77/West Bypass from an expressway to freeway status, as provided in Exhibit "A". (R-04-0113)
- B. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40<sup>th</sup> Street and Rokeby Road in Lancaster County, Nebraska. (Recessed on September 28, 2004.)

12) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

**NOTE:** Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

The Board of Commissioners Agenda and Minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

**AGENDA**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, NOVEMBER 2, 2004**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS**  
**MEETING**

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 26, 2004. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
  
- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.
  
- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**  
  
Madonna Rehabilitation Hospital  
People's City Mission  
St. Monica's  
Sisters of Mary Queen of Mercy (2 exemptions)
  
- 4) **CORRECTION TO THE 2004-2005 TAX RATES FOR THE FOLLOWING:**  
  
Sanitary Improvement District #6 (West Emerald)  
Sanitary Improvement District #8 (Walton)
  
- 5) **RESOLUTION CORRECTION THE 2004-2005 TAX RATES**  
  
A resolution in the matter of correcting the 2004-2005 tax rates for Sanitary Improvement District No. 6 (West Emerald) and Sanitary Improvement District No. 8 (Walton.) (R-04-0133)
  
- 6) **ADJOURNMENT:**

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CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER  
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